

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

AQUATIC AV, INC., a California
corporation,

Plaintiff,

v.

MAGNADYNE CORPORATION,
a California corporation, and SSV
WORKS, INC., a California corporation,

Defendants.

No. C 14-01931 WHA

REQUEST FOR BRIEFING

In this patent-infringement action involving two asserted patents, defendants filed an unopposed motion to stay the entire case pending *inter partes* review. Defendants filed a petition for *inter partes* review of one of the asserted patents (U.S. Patent No. 8,578,081, which is the continuation-in-part of the other asserted patent). To date, the PTAB has not yet decided whether to institute review of the '081 patent. No petition for *inter partes* review was filed for the other asserted patent. The motion was noticed for a hearing on January 22.

By **JANUARY 12 AT NOON**, the parties shall file a joint brief with supporting declarations explaining in detail (1) whether the PTAB has instituted *inter partes* review of any claims of any of the asserted patents (and specifying which claims); (2) why litigation on U.S. Patent No. 7,831,756 (the other asserted patent) could not proceed since no instituted *inter partes* review proceeding on that patent is pending and defendant Magnadyne provided notice to plaintiff of its intent to file a motion for summary judgment of non-infringement of the '756 patent; and (3) any estoppel effect of the *inter partes* review proceeding. To be clear, no deadline is stayed for now.

Dated: December 12, 2014.



WILLIAM ALSUP

UNITED STATES DISTRICT JUDGE